

CITY OF SAN ANTONIO

Zoning Commission Agenda

Board Room
First Floor, Development Business Service Center
1901 S. Alamo

October 4, 2005
Tuesday, 11:30 A.M.

ZONING COMMISSIONERS

| | |
|--------------------------------------|--------------------------------------|
| Gilbert Kissling – District 1 | James Gray – District Mayor |
| Jureta Marshall – District 2 | Jody Sherrill – District 7 |
| Joe Farias – District 3 | Dr. Morris A. Stribling – District 8 |
| Henry Avila – District 4 | James McAden – District 9 |
| Eiginio Rodriguez – District 5 | Robert R. Robbins – District 10 |
| Christopher R. Martinez – District 6 | |
| Chairman | |

1. **Work Session presentation by zoning staff to discuss zoning case recommendations and other items for consideration on agenda for October 4, 2005, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director's Report.
6. Approval of September 20, 2005 Minutes.
7. **ZONING CASE NUMBER Z2005142:** The request of Bill Miller Bar-B-Q Enterprises, Inc./ Douglas W. Miller, Applicant, for Bill Miller Bar-B-Q Enterprises, Owner(s), for a change in zoning from "C-2" ERZD Commercial Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District on Lot 6, Block 2, NCB 14757, 7319 North Loop 1604 West. (Council District 8)
8. **ZONING CASE NUMBER Z2005221:** The request of Brown, P. C., Applicant, for Tonkiwa, Ltd., Owner(s), for a change in zoning from PUD "MF-33" ERZD Planned Unit Development Multi-Family Edwards Recharge Zone District and "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone District on 14.89 acres and "RP" Resource Protection District on 12.25 acres on 27.14 acres out of NCB 17600. East of the intersection Highway 281 North and Evans Road. (Council District 9)

9. **ZONING CASE NUMBER Z2005041:** The request of Dr. Guillermo Reyes, Applicant, for GMEJR Partners Ltd., Dr. Guillermo Reyes, general partner, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “O-1” Office District on Parcel 32, NCB 17970, 8093 Eckhert Road. (Council District 7)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
10. **ZONING CASE NUMBER Z2005210 CD:** The request of Maria A. Acuna, Applicant, for Maria A. Acuna, Owner(s), for a change in zoning from “C-2” Commercial District to “R-5” (CD-for a duplex) Residential Single-Family District with a Conditional Use for a Duplex on Lot 3, Block 2, NCB 9160, 1618 West Malone Street. (Council District 5)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
11. **ZONING CASE NUMBER Z2005223:** The request of Eddie Marquez, Applicant, for Eddie Marquez, Owner(s), for a change in zoning from “R-4” Residential Single Family District to “RM-4” Residential Mixed District on Lot 30, NCB 6850, 717 Fair Avenue. (Council District 3)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2005230:** The request of Dan Campbell, Applicant, for Dan Campbell, Owner(s), for a change in zoning from “I-1” “RIO-2” General Industrial River Improvement Overlay District 2 to “C-3” “RIO-2” General Commercial River Improvement Overlay District 2 on the west 75 feet of Lots 25 and 26, NCB 965, 1516 Broadway. (Council District 2)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2005157:** The request of Brown, P. C., Applicant, for John William Judson, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “BP” Business Park District on 31.881 acres out of NCB 17504 and NCB 14862, 12303 Silicon Drive. (Council District 8)
14. **ZONING CASE NUMBER Z2005180:** The request of Milton Zaiontz, Applicant, for Milton Zaiontz, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-5” Residential Single-Family District on 37.007 acres out of NCB 15604. Generally bound by Dempsey Drive on the north, War Cloud Drive and Big Creek Drive on the west, War Horse Drive on the south, and Leon Creek on the east. (Council District 4)

15. **ZONING CASE NUMBER Z2005217 CD:** The request of Porter Poultry & Egg Company, Inc. , Applicant, for Porter Poultry & Egg Company, Inc., Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-6” (CD - Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on the North 50 feet of Lots 10 and 11, Block 10, NCB 13961 and “R-6” Residential Single-Family District to “C-2NA” (CD - Food Products - Wholesale Warehouse) Residential Single-Family District with a Conditional Use for a Food Products - Wholesale Warehouse on Lots 10 and 11, save the north 50 feet, Block 10, NCB 13961 on Lots 10 and 11, Block 10, NCB 13961, 5470 Zupan Lane. (Council District 6)
16. **ZONING CASE NUMBER Z2005216:** The request of Dan Snell, Applicant, for Pommerening Living Trust and Annabella A. Pommerening Living Trust, Owner(s), for a change in zoning from “R-20” “GC-1” Residential Single-Family Gateway Corridor District-1 to “C-2” “GC-1” Commercial Gateway Corridor District-1 on 2.79 acres out of NCB 18337. The northwest corner of Oak Road and IH 10 West Access Road. (Council District 8)
17. **ZONING CASE NUMBER Z2005219:** The request of Estate of Susie Lee, Applicant, for Estate of Susie Lee, Owner(s), for a change in zoning from “I-2” Heavy Industrial District to “C-3” General Commercial District on Lot 5, Block 1, NCB 10314, 1863 Rigsby Road. (Council District 2)
18. **ZONING CASE NUMBER Z2005222:** The request of Al and Armando Salazar, Applicant, for Al and Armando Salazar, Owner(s), for a change in zoning from “C-2NA” Commercial Nonalcoholic Sales District to “C-2” Commercial District on Lot 21, Block 172, NCB 9956, 3505 Pleasanton Road. (Council District 3)
19. **ZONING CASE NUMBER Z2005224:** The request of Harold D. Johnson, Applicant, for Harold D. Johnson, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3” General Commercial District on Lot 5 and Lot 9, Block 1, NCB 17637, 10540 and 10480 Culebra Road. (Council District 6)
20. **ZONING CASE NUMBER Z2005225:** The request of John L. Santikos, Applicant, for John L. Santikos, Owner(s), for a change in zoning from “I-2” Heavy Industrial District to “C-3” General Commercial District on Lots 5 and 6, NCB 12334, 1918 through 1964 Southwest Military Drive. (Council District 4)
21. **ZONING CASE NUMBER Z2005226:** The request of Jerry Arredondo, Applicant, for Universal Development Property, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “C-3” General Commercial District on Lot 22, NCB 12116, 8623 Perrin Beitel. (Council District 10)
22. **ZONING CASE NUMBER Z2005228:** The request of Data Rose Limited Partnership, Applicant, for Data Rose Limited Partnership, Owner(s), for a change in zoning from “I-1” General Industrial District to “C-3” General Commercial District on P-71D, P-71E, P-71M, P-101 and P-102, NCB 14446, 9725 Datapoint Drive. (Council District 8)
23. **ZONING CASE NUMBER Z2005232:** The request of Brown, P. C., Applicant, for W. P. Southwell, Owner(s), for a change in zoning from “O-1” Office District to “R-6” Residential Single-Family District on Lots 119 through 122, Block E, NCB 11545, 128 Woodside Drive. (Council District 7)

24. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
25. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

CASE NO: Z2005041

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Zoning Commission continuance from July 19, 2005 and August 16, 2005

Council District: 7

Ferguson Map: 548 A8

Applicant Name:

Dr. Guillermo Reyes

Owner Name:

GMEJR Partners Ltd., Dr. Guillermo Reyes, general partner

Zoning Request: From "R-6" Residential Single-Family District to "O-1" Office District.

Property Location: Parcel 32, NCB 17970

8093 Eckhert Road

Northwest side of Eckhert Road between Richard Frank and John Marshall

Proposal: Medical Office/Clinic

Neigh. Assoc. None

Neigh. Plan Huebner/Leon Creeks Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent.

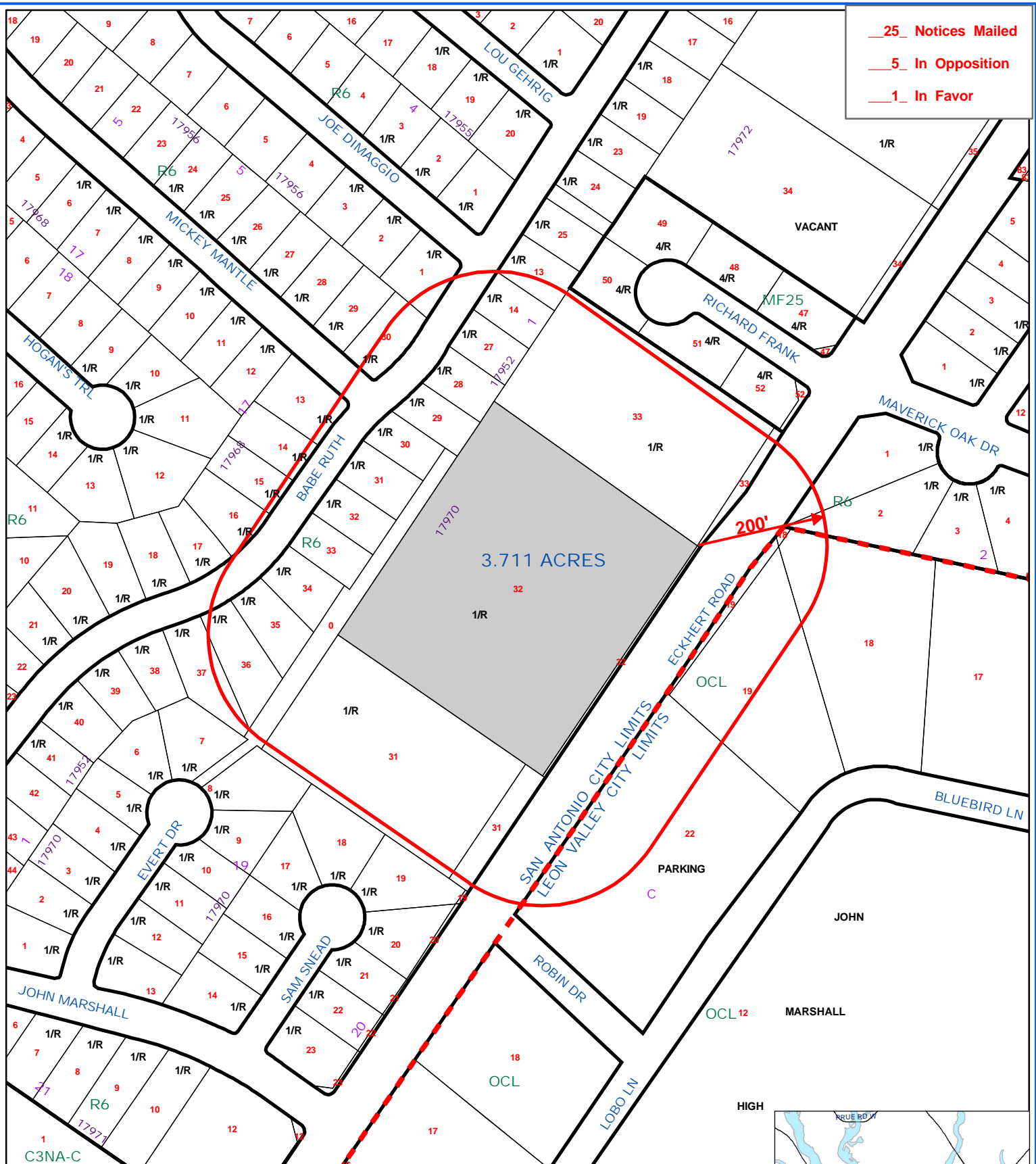
The Huebner/Leon Creeks Community Plan identifies this site as Medium Density Residential. A Plan Amendment would be required in order to establish the "O-1" Office District. A land use plan amendment will be heard by the Planning Commission October 12, 2005.

Approval contingent on plan amendment.

The requested zoning is not consistent with the Huebner/Leon Creeks Community Plan. The subject property contains a vacant Single-Family Dwelling and is located on Eckhert Road, a major thoroughfare. The subject property is adjacent to "R-6" Residential Single-Family District to the northwest, southwest and northeast. John Marshall High School is located across Eckhert Road.

CASE MANAGER : Pedro Vega 207-7980

1 In Favor



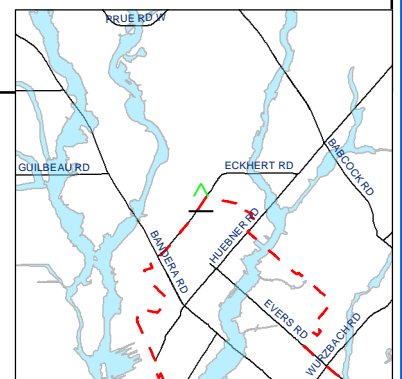
ZONING CASE: Z2005-041

City Council District NO. 7
Requested Zoning Change
From "R-6" To "O-1"
Date: October 4, 2005
Scale: 1" = 200'

Subject Property

 **200' Notification**

C:\Mar 1 2005



CASE NO: Z2005142

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Zoning Commission continuance from July 5, 2005,
August 2, 2005 and September 6, 2005

Council District: 8

Ferguson Map: 513 E5

Applicant Name:

Owner Name:

Bill Miller Bar-B-Q Enterprises, Inc./
Douglas W. Miller

Bill Miller Bar-B-Q Enterprises

Zoning Request: From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District.

Property Location: Lot 6, Block 2, NCB 14757

7319 North Loop 1604 West

Northside of North Loop 1604 West between Babcock Road and White Fawn Drive

Proposal: Motel/Hotel

Neigh. Assoc. Hills and Dales Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is undeveloped and located on North Loop 1604 West. The subject property is adjacent to "C-3 ERZD" General Commercial Edwards Recharge Zone District to the west (Vacant), east (Vacant) and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to the north. The "C-3 ERZD" General Commercial Edwards Recharge Zone District would be appropriate at this location. Staff's recommendation of approval is based on the site evaluation of the property by the San Antonio Water System (SAWS). Intensive "C-3" commercial uses are prohibited within the ERZD.

Edwards Recharge Zone District Summary

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 2 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 65%.

CASE MANAGER : Pedro Vega 207-7980

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

DEV. SERVICES

To: Zoning Commission Members
From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System
Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Michael Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File
Subject: Zoning Case Z2005142

2005 JUN 22 P 2: 35

Date: June 22, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 0.37 acre tract located on the city's northwest side. A change in zoning from **C-2 ERZD** to **C-3 ERZD** is being requested by the applicant, Mr. Chuck Christian. The change in zoning has been requested to allow for a commercial development, such as hotel/motel.

As of the date of this report, an official request for a category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 8, northwest of the intersection of Babcock Road and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to C-3 ERZD and will allow for the construction of a commercial development. The property is currently an undeveloped lot.

2. Surrounding Land Uses:

A Pizza Hut Restaurant is immediately east of the property. A single-family residential subdivision abuts the property boundary on the north side. The property to the west is currently undeveloped. The property is bounded to the south by Loop 1604 access road.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on June 3, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation and observed no significant recharge features, although Edwards outcropping was visually apparent. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Cyclic Marine Member of the Edwards Aquifer. Field verification was not possible due to the coverage of alluvium on the site, although float material was observed. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100-year floodplain.

4. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

If the property is rezoned by the San Antonio City Council, then the following conditions shall apply to address the environmental concerns raised by the construction of this development on the Edwards Aquifer

Recharge Zone:

Site Specific

1. The impervious cover shall not exceed 65% on the site.
2. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease agreement. The owner or owner's agent shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all of the facilities on the site to ensure compliance with ordinances.
3. All water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing groundwater pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

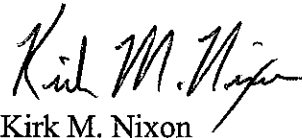
General

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.

2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
5. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.

6. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
7. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



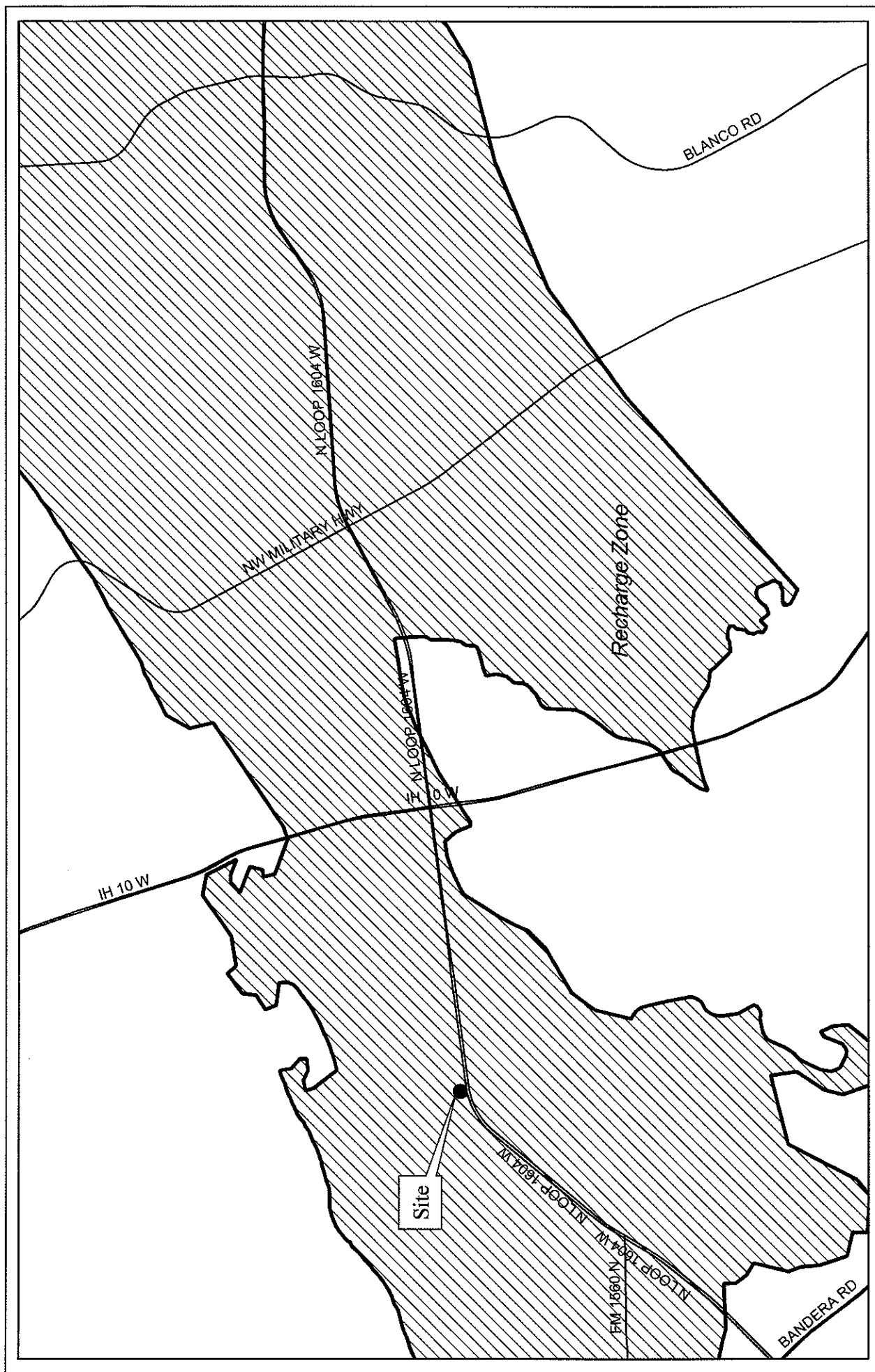
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



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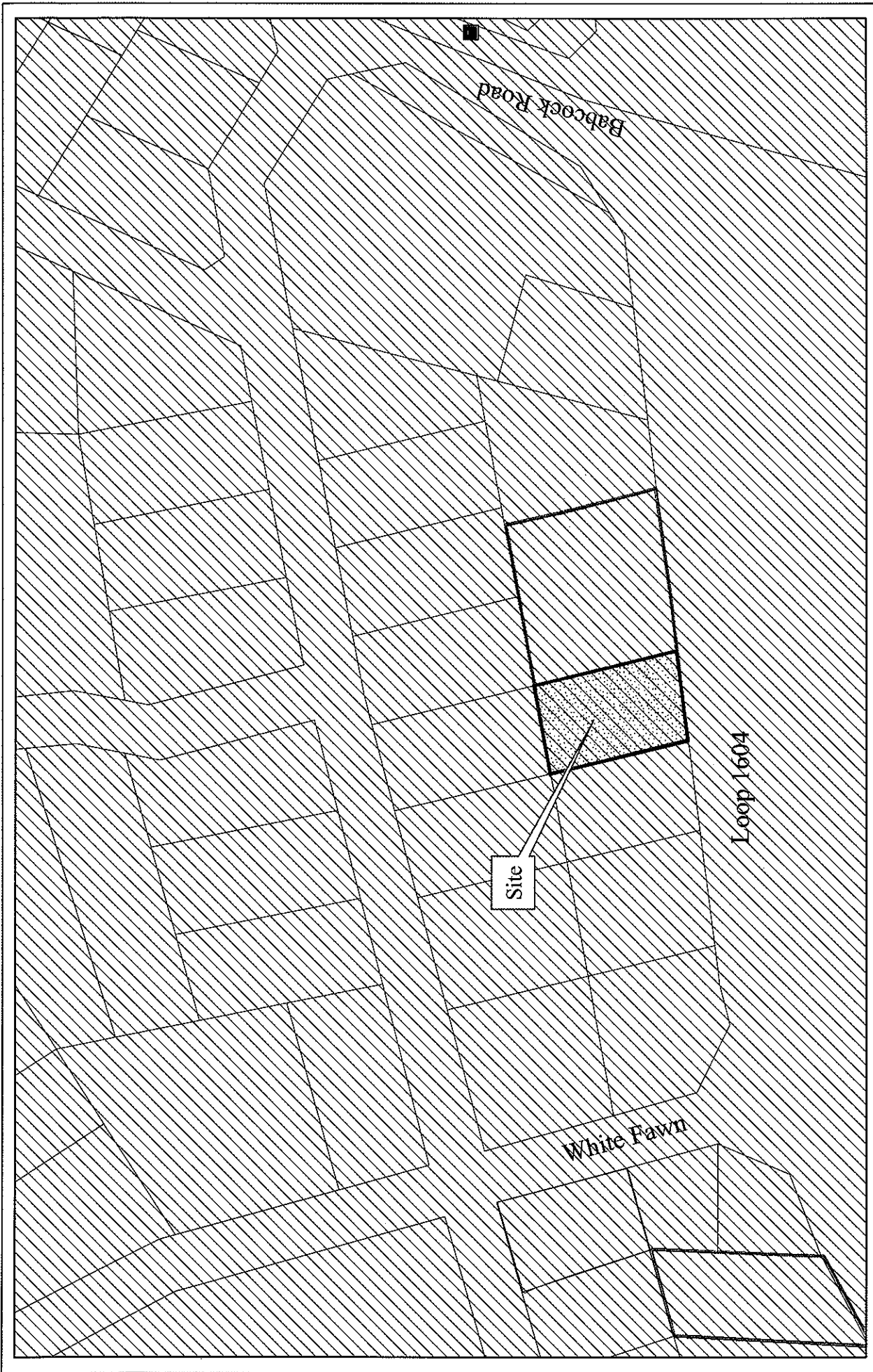
Zoning Case: Z2005142 Figure 1

Motel/Hotel

Map Page 513 E5

X = 2085132 Y=13761470

Map Prepared by Aquifer Protection and Evaluation MJB 6/1/2005



Zoning Case: Z2005142 Figure 2

Motel/Hotel

Map Page 513 E5

X = 2085132 Y=13761470

Map Prepared by Aquifer Protection and Evaluation MJB 6/1/2005



1:1,779

CASE NO: Z2005157

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Zoning Commission continuance from July 5, 2005,
August 2, 2005 and September 6, 2005

Council District: 8

Ferguson Map: 548 D2

Applicant Name:

Brown, P. C.

Owner Name:

John William Judson

Zoning Request: From "R-6" Residential Single-Family District to "BP" Business Park District.

Property Location: 31.881 acres out of NCB 17504 and NCB 14862

12303 Silicon Drive

South of Silicon Drive and west of Network Boulevard

Proposal: Business Park

Neigh. Assoc. T Road Association and Woodridge Community Association (within 200 feet)

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is required.

Staff Recommendation:

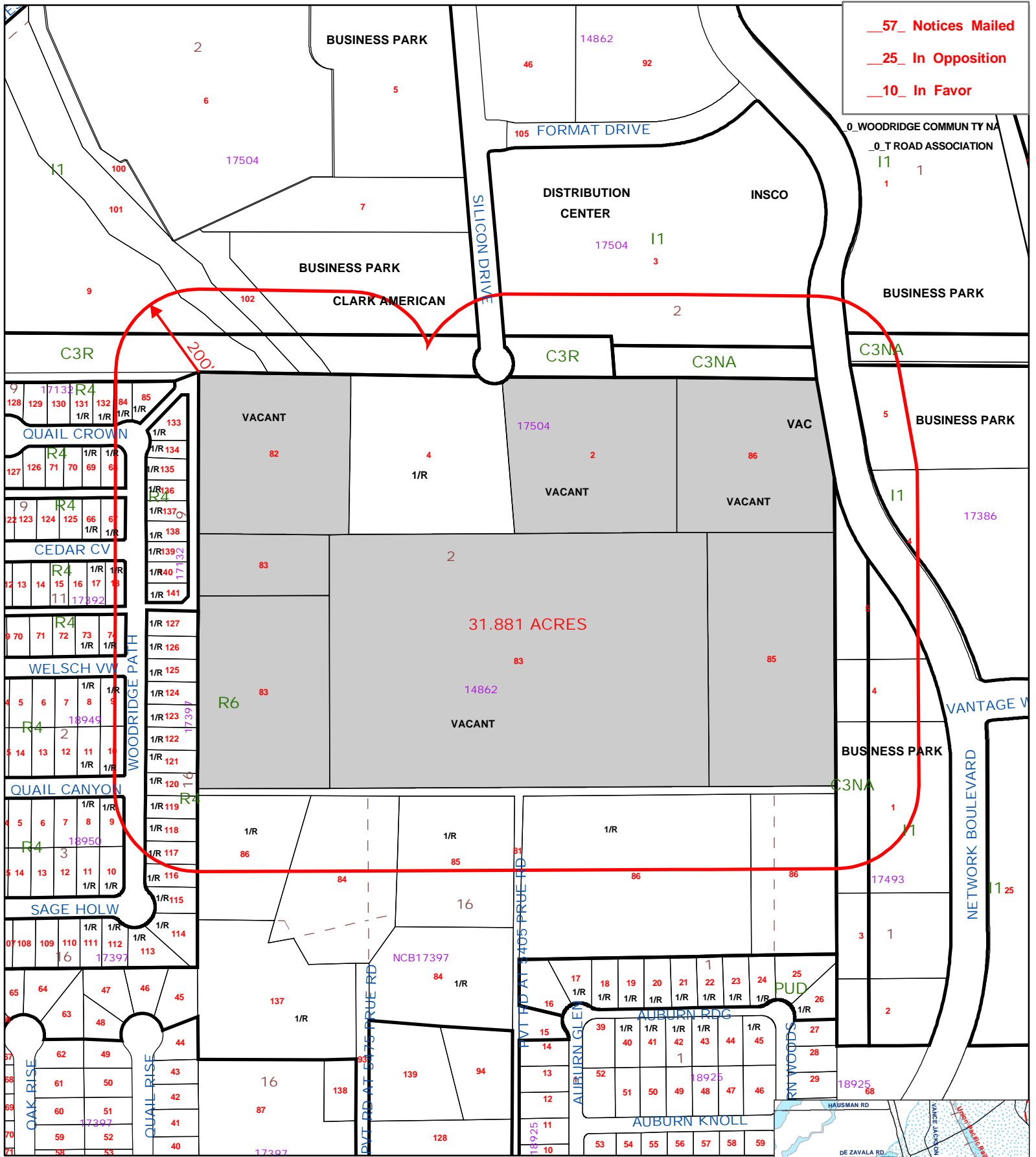
Approval

The subject property is currently undeveloped. The subject property is adjacent to "C-3R" Restrictive Commercial District, "C-3NA" General Commercial, Nonalcoholic Sales District and "I-1" General Industrial District to the north and east. Single-family residences are currently to the west and "R-6" Residential Single-Family District to the south. A single-family residence is located at 12302 Silicon Drive. The "BP" Business Park District would be appropriate at this location. A "BP" Business Park provides employment or civic uses interspersed with open space areas and pedestrian walkways. A "BP" Business Park is designed for business uses which carry on their operation in enclosed facilities in such a manner that no negative impact is created outside of the boundaries of the business park district.

A Business Park District may be located adjacent to any Freeway, Arterial, Principal Arterial or non-residential Collector Street. Silicon Drive and Network Boulevard are non-residential Collector Streets.

CASE MANAGER : Pedro Vega 207-7980

__57_ Notices Mailed
 __25_ In Opposition
 __10_ In Favor



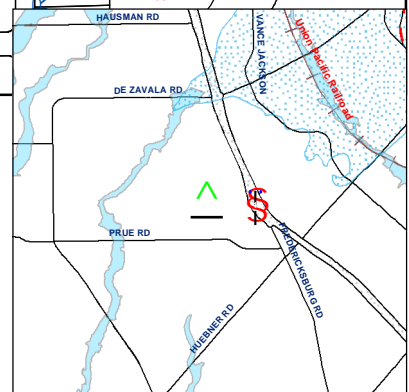
ZONING CASE: **Z2005-157**

City Council District NO. 8
 Requested Zoning Change
 From "R-6" To "BP"
 Date: October 4, 2005
 Scale: 1" = 300'

[Grey Box] Subject Property
 [Red Circle] 200' Notification



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CASE NO: Z2005180

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Continuance from August 16, 2005 and September 06, 2005

Council District: 4

Ferguson Map: 680 D1 and 645 D

Applicant Name:

Milton Zaiontz

Owner Name:

Milton Zaiontz

Zoning Request: From "R-6" Residential Single-Family District to "R-5" Residential Single-Family District.

Property Location: 37.007 acres out of NCB 15604

Generally bound by Dempsey Drive on the north, War Cloud Drive and Big Creek Drive on the west, War Horse Drive on the south, and Leon Creek on the east

South of the intersection of Ray Ellison Boulevard and Pearsall Road

Proposal: To develop single-family residential homes

Neigh. Assoc. Hidden Cove/Indian Creek Neighborhood Association and Southwest Community Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

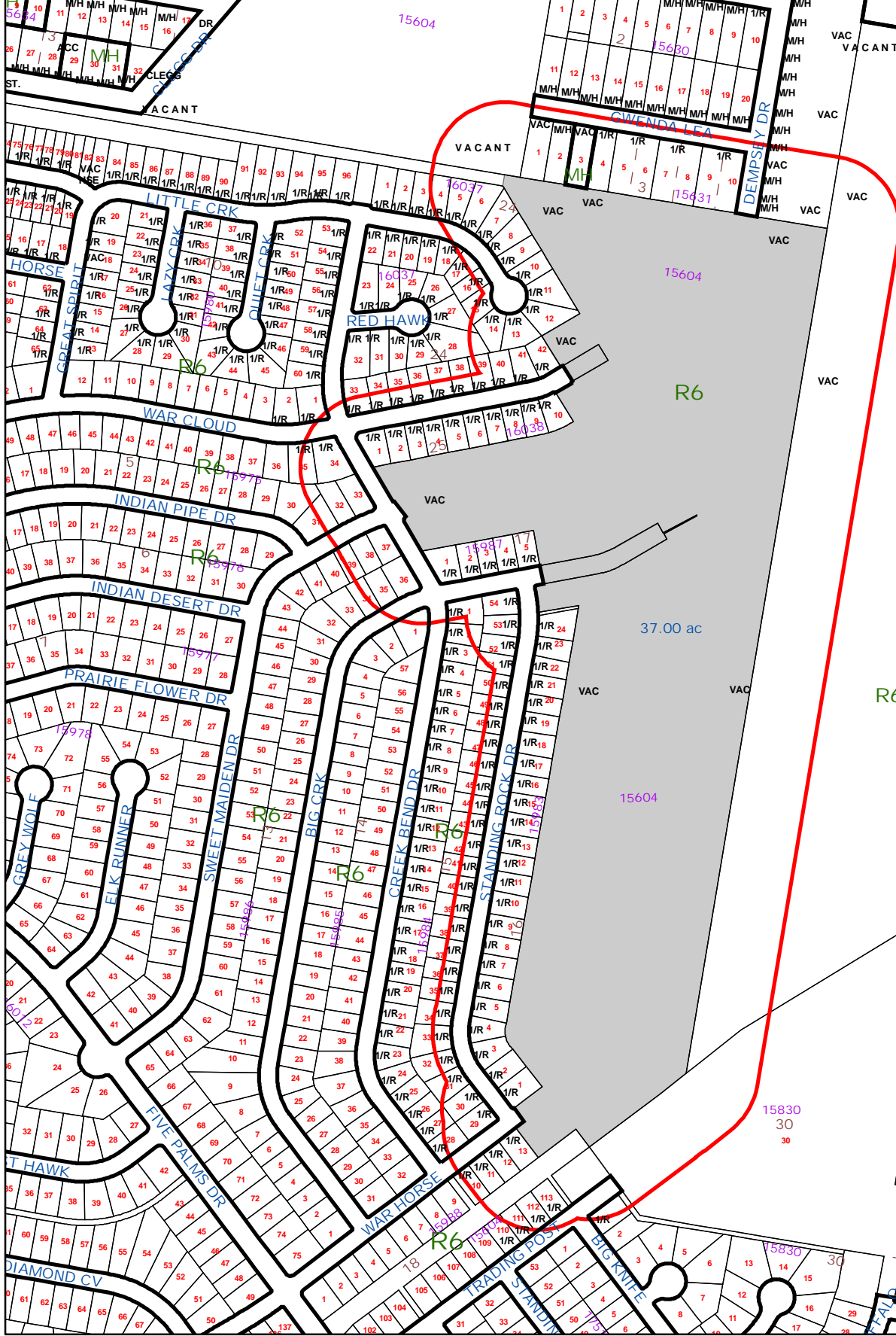
Approval.

The subject property is currently vacant. The surrounding properties to the west and south are developed as single-family residential units. The property to the east is vacant and zoned for residential. The change in zoning would allow for an increase of two units per acre, which brings the total increase on this property to an increase of 74 units. The proposed zoning would allow for residential development on a minimum lot size of 5,000 square feet. Higher density development is recommended within the 410 Loop. This zoning change would be appropriate at this location.

The Zoning Commission previously heard this case in January of 2004 (Z2004022). Zoning staff recommended denial due to traffic concerns. The case was withdrawn. These concerns have been addressed by extending Big Creek and eventually connecting to Ray Ellison Boulevard.

CASE MANAGER : Robin Stover 207-7945

143 Notices Mailed
 — In Opposition
 — In Favor



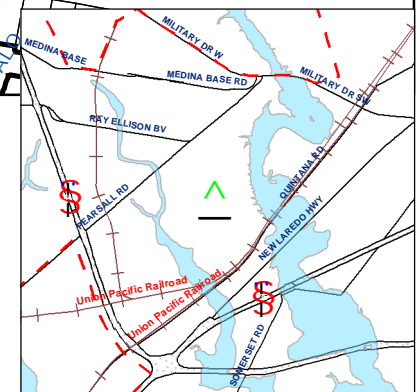
ZONING CASE: Z2005-180

City Council District No. 4
Requested Zoning Change
From "R-6" To "R-5"
Date: October 04, 2005
Scale: 1" = 400'

■ Subject Property
 ○ 200' Notification



C:\Aug_2_2005



CASE NO: Z2005210 CD

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 5

Ferguson Map: 649 E2

Applicant Name:

Maria A. Acuna

Owner Name:

Maria A. Acuna

Zoning Request: From "C-2" Commercial District to "R-5" (CD-for a duplex) Residential Single-Family District with a Conditional Use for a Duplex.

Property Location: Lot 3, Block 2, NCB 9160

1618 West Malone Street

West of the Intersection of West Malone Street and South Zarzamora Street

Proposal: To build a duplex

Neigh. Assoc. Quintana Community Association

Neigh. Plan Nogalitos/South Zarzamora Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

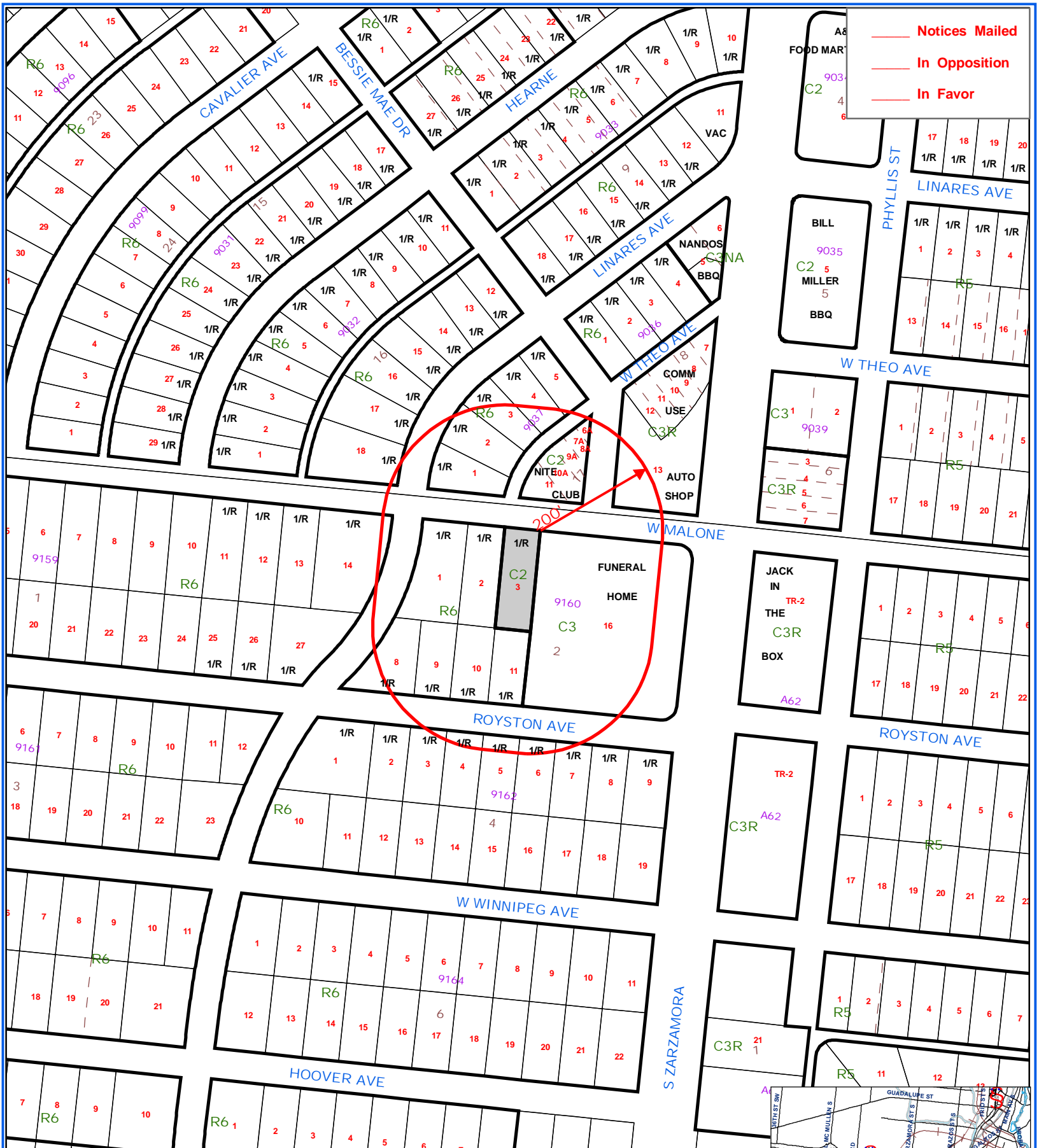
The request conforms to the land use plan.

Approval

The subject property is located west of the intersection of two major thoroughfares, West Malone and South Zarzamora Street. The property to the south and west is established single-family residential dwellings, to the north and east are commercial properties. The property owner has already started the development of the second dwelling without permits and the property owner was cited. The foundation has been poured and the frame has been constructed. This structure is encroaching on the rear setback and could not be classified as an accessory unit due to the size of the building. The new structure would require a variance through the Board of Adjustments in order to complete the construction. The applicant would like to complete the development of this structure. The surrounding properties have small sheds or garages located in the back of the house, but no accessory dwellings.

Residential zoning would be more appropriate at this site. The development of a duplex would provide a buffer between the commercial use to the east and the residential to the west.

CASE MANAGER : Robin Stover 207-7945



ZONING CASE: **Z2005-210 CD**

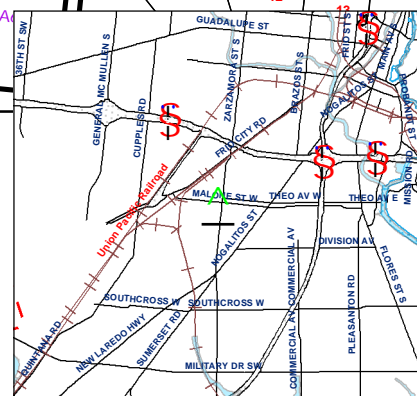
City Council District No. 5
 Requested Zoning Change
 From "C-2" To "R-5 CD"
 Date: October 04, 2005
 Scale: 1" = 200'

Subject Property

200' Notification



C:\Sept_6_2005



CASE NO: Z2005216

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 8

Ferguson Map: 480 A6

Applicant Name:

Dan Snell

Owner Name:

Pommerening Living Trust and Annabella A.
Pommerening Living Trust

Zoning Request: From "R-20 GC-1" Residential Single-Family Gateway Corridor District-1 to "C-2 GC-1" Commercial Gateway Corridor District-1.

Property Location: 2.79 acres out of NCB 18337

The northwest corner of Oak Road and IH 10 West Access Road

Proposal: To allow development of an office building

Neigh. Assoc. Friends of Friedrich Wilderness Park

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis (TIA) was submitted and is in compliance with TIA Ordinance 91700

Staff Recommendation:

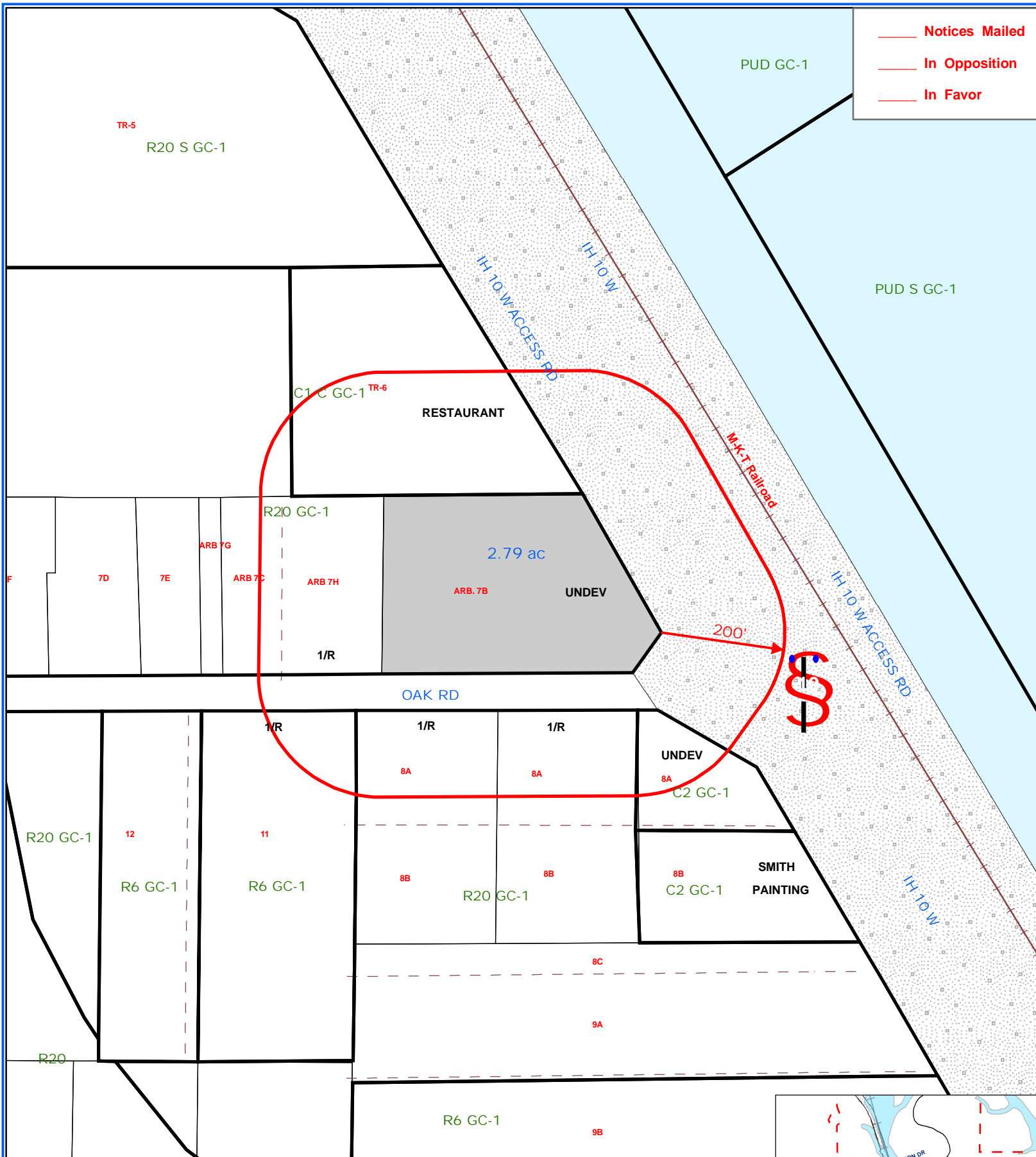
Denial of "C-2" and Approval of "O-1"

The subject property is currently vacant and located at the intersection of Oak Road and the IH-10 Access Road. The properties to the west and east are zoned for residential use. There are established single-family residences on the properties to the west and southwest. South of the property is undeveloped commercial and to the north is developed commercial.

"O-1" Office District would be more appropriate at this site because of the required design standards. Parking is required to be located to the rear of the building and the buildings must contain windows at street level. This district limits the building size to 10,000 square feet, however, the collective square footage of all of the buildings on the property would be 90,000 square feet. This zoning change would serve as a continuation of the commercial buffer that is currently established to the north and south. The Master Plan Policies encourage the development of uses that are compatible with the character, size to the site, and the surrounding uses. This development would serve as a buffer between the residential units and the highway.

CASE MANAGER : Robin Stover 207-7945

_____ Notices Mailed
 _____ In Opposition
 _____ In Favor



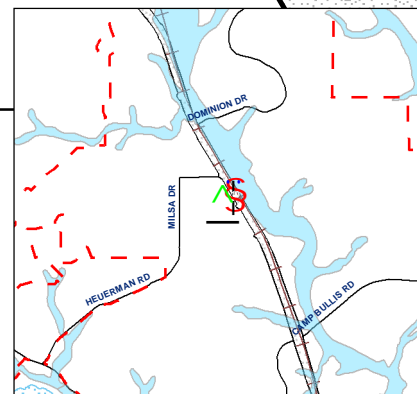
ZONING CASE: **Z2005-216**

City Council District No. 8
 Requested Zoning Change
 From "R-20 GC-1" To "C-2 GC-1"
 Date: October 4, 2005
 Scale: 1" = 200'

[Gray Box] Subject Property
 [Red Circle] 200' Notification



C:\Sept_6_2005



CASE NO: Z2005217 CD

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Continuance from Zoning Commission Hearing on
September 20, 2005.

Council District: 6

Ferguson Map: 614 D7

Applicant Name:

Owner Name:

Porter Poultry & Egg Company, Inc.

Porter Poultry & Egg Company, Inc.

Zoning Request: "R-6" Residential Single-Family District to "R-6" (CD - Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on the North 50 feet of Lots 10 and 11, Block 10, NCB 13961
and
"R-6" Residential Single-Family District to "C-2 NA" (CD - Food Products - Wholesale Warehouse) Residential Single-Family District with a Conditional Use for a Food Products - Wholesale Warehouse on Lots 10 and 11, save the North 50 feet, Block 10, NCB 13961

Property Location: Lots 10 and 11, Block 10, NCB 13961

5470 Zupan Lane

Generally located on Zupan Lane, east of South Callaghan Road

Proposal: To construct a storage building for wholesale food sales

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

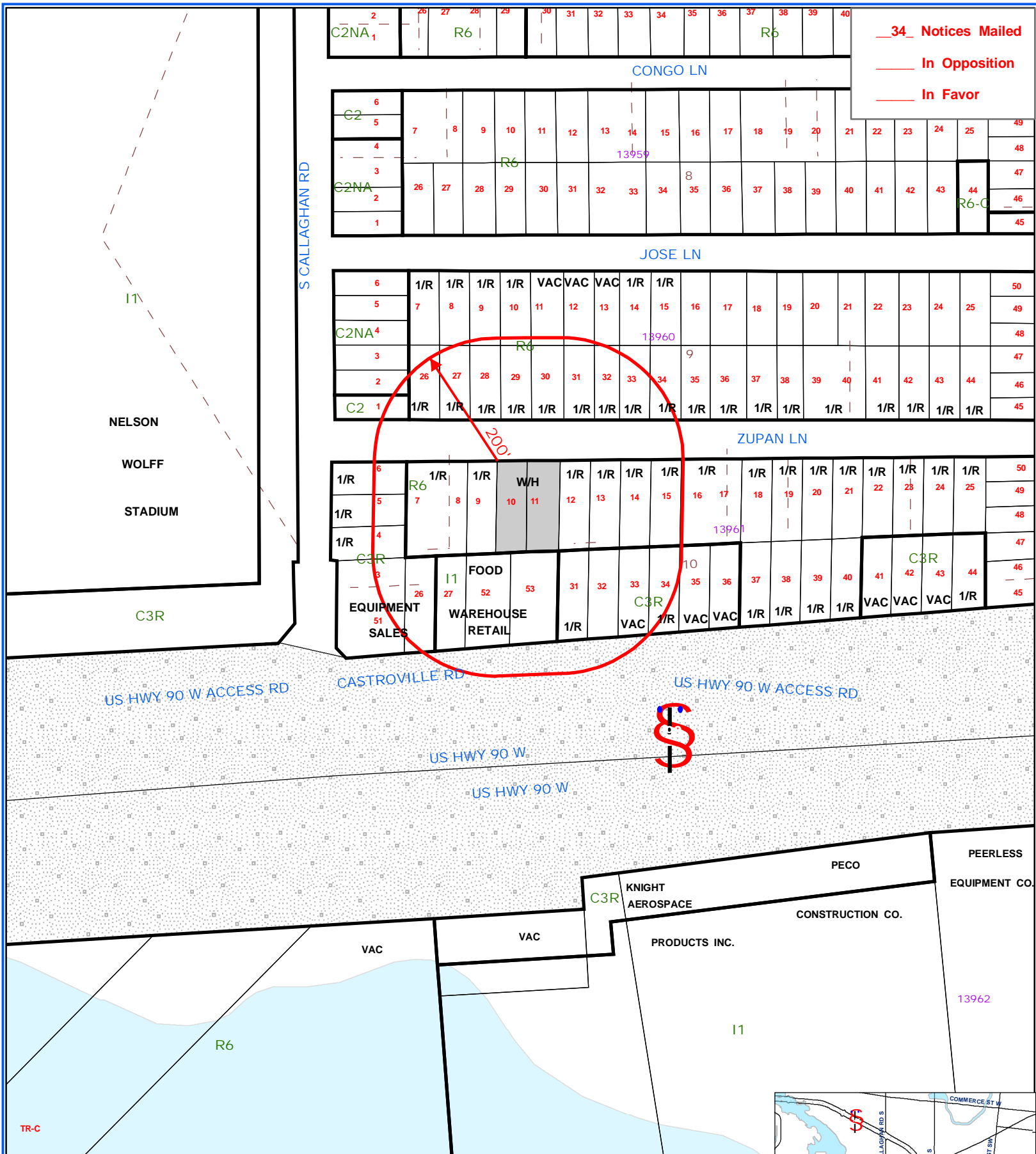
Denial.

The applicant and property owner, Porter Poultry & Egg Company, is a food distributor. The applicant has been issued a Certificate of Occupancy only for the property located at 5475 West Highway 90, which is appropriately zoned "I-1" General Industrial District. The company also owns the subject property, which is adjoining to the north and fronting Zupan Lane. This property is zoned for residential use and is currently utilized for employee parking for the business located along Highway 90. However, a Certificate of Occupancy has not been issued for the use on this property.

Because Zupan Lane is home to many single-family residences, it would not be appropriate to rezone these parcels for commercial or industrial use, which would permit commercial traffic on Zupan Lane. "C-2" Commercial District is more appropriate along Highway 90, but not within a residential neighborhood or along a residential street.

If the property were to be rezoned to "C-2" Commercial District, a future medium-density business would be permitted by-right next to single-family residences. Further, the applicant's request would require a 15 foot, Type B buffer, along the east and west boundaries because they are adjacent to residential uses. Each property is 50 feet wide which would reduce the usable land by approximately one-third.

CASE MANAGER : Rudy Nino, Jr. 207-8389



ZONING CASE: **Z2005-217 CD**

City Council District No. 6

Requested Zoning Change

From "R-6" To "R-6" CD and "C-2" NA CD

Date: October 4, 2005

Scale: 1" = 200'

CASE NO: Z2005219

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 2

Ferguson Map: 652 A1

Applicant Name:

Estate of Susie Lee

Owner Name:

Estate of Susie Lee

Zoning Request: From "I-2" Heavy Industrial District to "C-3" General Commercial District.

Property Location: Lot 5, Block 1, NCB 10314

1863 Rigsby Road

West of the Intersection of Pecan Valley Drive and Rigsby Road

Proposal: To allow for a lawnmower repair shop

Neigh. Assoc. Artesia Community Guild

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval

The subject property is located west of the intersection of Pecan Valley Drive and Rigsby Avenue. The property is currently used as a lawnmower repair shop and is part of a commercial strip development. The surrounding properties to the east, south, and west are used for commercial and auto related shops. The properties to the north are single-family residential units.

The proposed zoning district would be a down zoning from the existing industrial zone on the property. "C-3" commercial district would bring the current use as a lawnmower repair shop into compliance. The shop has been in operation for roughly one month and does not have a certificate of occupancy. A type C buffer would be required between the subject property and the residential units to the rear. This zoning change would be appropriate at this location.

CASE MANAGER : Robin Stover 207-7945

CASE NO: Z2005221

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 9

Ferguson Map: 483 D6 & 7

Applicant Name:

Brown, P. C.

Owner Name:

Tonkiwa, Ltd.

Zoning Request: From PUD "MF-33 ERZD" Planned Unit Development Multi-Family Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 14.89 acres and "RP" Resource Protection District on 12.25 acres.

Property Location: 27.14 acres out of NCB 17600

East of the intersection Highway 281 North and Evans Road

Proposal: To develop a retail center

Neigh. Assoc. Encino Park Home Owner Association (within 200 feet)

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis (TIA) was submitted and is in compliance with TIA Ordinance 91700. The TIA recommends that they make provisions for 70 feet of right-of-way at the intersection of Evans Road and the western most driveway in order to provide for the extension of Encino Ledge.

Staff Recommendation:

Approval

The subject property is located east of the intersection of two major thoroughfares, Evans Road and North 281. There are commercial uses to the north and west, and residential uses to the south and east.

"C-2" Commercial District at this site would be a continuation of the commercial uses to the west. This district would serve as a buffer between the street and the residential uses to the south. Furthermore, the "RP" district would serve as a buffer between the potential retail center and the single-family residential homes to the south and east. The "C-2" commercial district is designed to offer uses that would serve the community with a broad range of commercial uses. This zoning change would be appropriate at this location.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 1 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 50%.

CASE MANAGER : Robin Stover 207-7945

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES

To: Zoning Commission Members 2005 SEP 21 P 1:12

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005221 (Encino Park Retail Center)

Date: September 20, 2005

SUMMARY

A request for a change in zoning has been made for an approximate 14.89-acre tract located on the city's north side. A change in zoning from **MF-33 ERZD** to **C-2 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a retail center.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, at the intersection of Evans Road and Encino Commons. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from MF-33 ERZD to C-2 ERZD and will allow for the construction of a retail center. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

2. Surrounding Land Uses:

A single-family residential subdivision is east and south of the property. An undeveloped lot abuts the property boundary on the west side. Evans Road bound the northern boundary.

3. Water Pollution Abatement Plan:

The 27 Acre Evans Road Tract Water Pollution Abatement Plan (WPAP) was approved by the Texas Commission on Environmental Quality (TCEQ) on June 11, 2001. This WPAP has been approved for only mass grading and clearing of the site. There were a total of nine geologic features. Two features are rated as being sensitive. Feature S-32 is a zone of fractured solution enhanced rock and is still apparent at the site. The other feature (S-33) is described in the Geologic Assessment as a zone of fractured rock. As per the WPAP and approval by TCEQ, feature S-33 has been sealed with fill material. A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Features:

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer. Outcropping of bedrock was observed onsite. According to FEMA Flood Insurance Maps, a portion of the subject site is located within the 100-year floodplain. A 25-foot buffer is being proposed for the floodplain.

Additionally, staff reviewed the geologic assessment in the WPAP prepared by Pape-Dawson Engineers, and noted two sensitive recharge features. The geologic features were rated as sensitive and significant in the Geologic Assessment. One feature (S-32) was a zone of fractured solution enhanced rock that is still visible in a dry creek bed. The other feature (S-33) was described in the Geologic Assessment as a zone of fractured rock. This could not be verified onsite due to coverage by fill material.

All other features identified in the Geologic Assessment appear to have limited potential for recharge to the Edwards Aquifer.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.
- C. A portion of the property lies within the floodplain, and the potential increase of sediment load resulting from the additional runoff created by the development.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific

1. The impervious cover shall not exceed 50% on the site.
2. The applicant is proposing a 25-foot buffer zone along the 100-year floodplain.
3. The retail center shall only allow land uses or activities that are in conformance with the table of permitted uses. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. The owner of all water pollution abatement structures shall ensure that these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each tenant within the retail center development shall be informed by the lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

General

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.

- D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB

CASE NO: Z2005222

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 3

Ferguson Map: 682 D1

Applicant Name:

Al and Armando Salazar

Owner Name:

Al and Armando Salazar

Zoning Request: From "C-2 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District.

Property Location: Lot 21, Block 172, NCB 9956

3505 Pleasanton Road

Intersection of West Amber and Pleasanton Road

Proposal: To permit restricted sales of alcohol

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis (TIA) was submitted and is in compliance with TIA Ordinance 91700

Staff Recommendation:

Approval

The subject property is located on the southwest corner of West Amber Street and Pleasanton Road. There is a vacant commercial building located on the property. The properties to the north are developed with single-family residential uses and to the north and east are multi-family developments. The property to the south is vacant and zoned for residential. There are commercial uses located to the northeast and southeast of the subject property.

"C-2" Commercial District would allow for the sale alcohol on the subject property. However, "C-2" does not allow bars, auto repair, or car lots on the property. The Master Plan Policies encourage infill development within the 410 Loop. This zoning change would allow for the reuse of this vacant commercial building.

(Under the Texas Alcoholic Beverage Code an Alcoholic Beverage License application will be required that may be denied by the Texas Department of Alcoholic Beverage Commission (TABC) if the manner in which the business is operated or the place the business is located is detrimental to the health, safety and welfare of the public. The Code provides opportunities for citizens and government officials to object to the issuance of a license or permit.)

CASE MANAGER : Robin Stover 207-7945

Notices Mailed

- In Opposition
- In Favor

E VEST

E HUTCHINS PLACE

E AMBER

E FORMOSA BLVD

PLEASANTON RD

PROPERTY

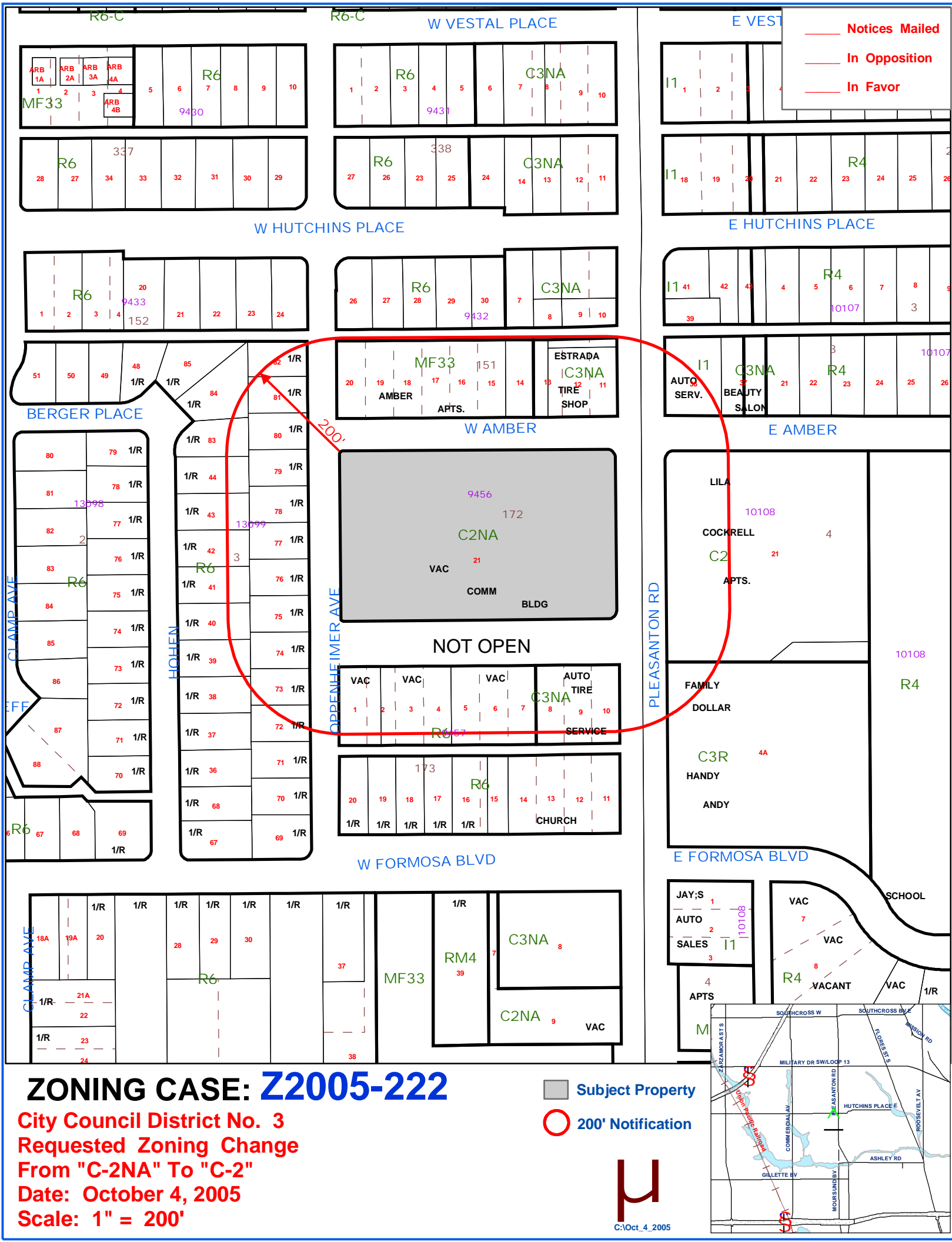
LOCATION

2005

 200' Notification

**City Council District No. 3
Requested Zoning Change
From "C-2NA" To "C-2"
Date: October 4, 2005
Scale: 1" = 200'**

C:\Oct 4 2005



CASE NO: Z2005223

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 3

Ferguson Map: 651 C3

Applicant Name:

Eddie Marquez

Owner Name:

Eddie Marquez

Zoning Request: From "R-4" Residential Single Family District to "RM-4" Residential Mixed District.

Property Location: Lot 30, NCB 6850

717 Fair Avenue

Northwest corner of the Intersection of Fair Avenue and South Palmetto

Proposal: To develop a duplex

Neigh. Assoc. Highland Park Neighborhood Association and Highland Hills Neighborhood Association (within 200 feet)

Neigh. Plan Highlands Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The proposed land use is consistent with the future land use map.

Approval

The subject property is currently vacant and located on northwest corner of the intersection of South Palmetto and Fair Avenue. The subject property is 0.228 acres in size, which would allow for 2 units on the property. The properties to the north and east consist of established single-family residential units. The properties to the west and south are utilized for duplex development.

The zoning request to change the property to "RM-4" is consistent with the surrounding properties. This change would serve as the end of the transition between single-family residential and duplex development along Fair Avenue. Furthermore, the Master Plan Policies promote infill development inside the 410 Loop.

CASE MANAGER : Robin Stover 207-7945

CASE NO: Z2005224

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 6

Ferguson Map: 578 C4

Applicant Name:

Harold D. Johnson

Owner Name:

Harold D. Johnson

Zoning Request: From "R-6" Residential Single-Family District to "C-3" General Commercial District.

Property Location: Lot 5 and Lot 9, Block 1, NCB 17637

10540 and 10480 Culebra Road

Southwest side of Culebra Road between Rogers Road and Mountain View Drive

Proposal: Commerical use

Neigh. Assoc. None

Neigh. Plan None

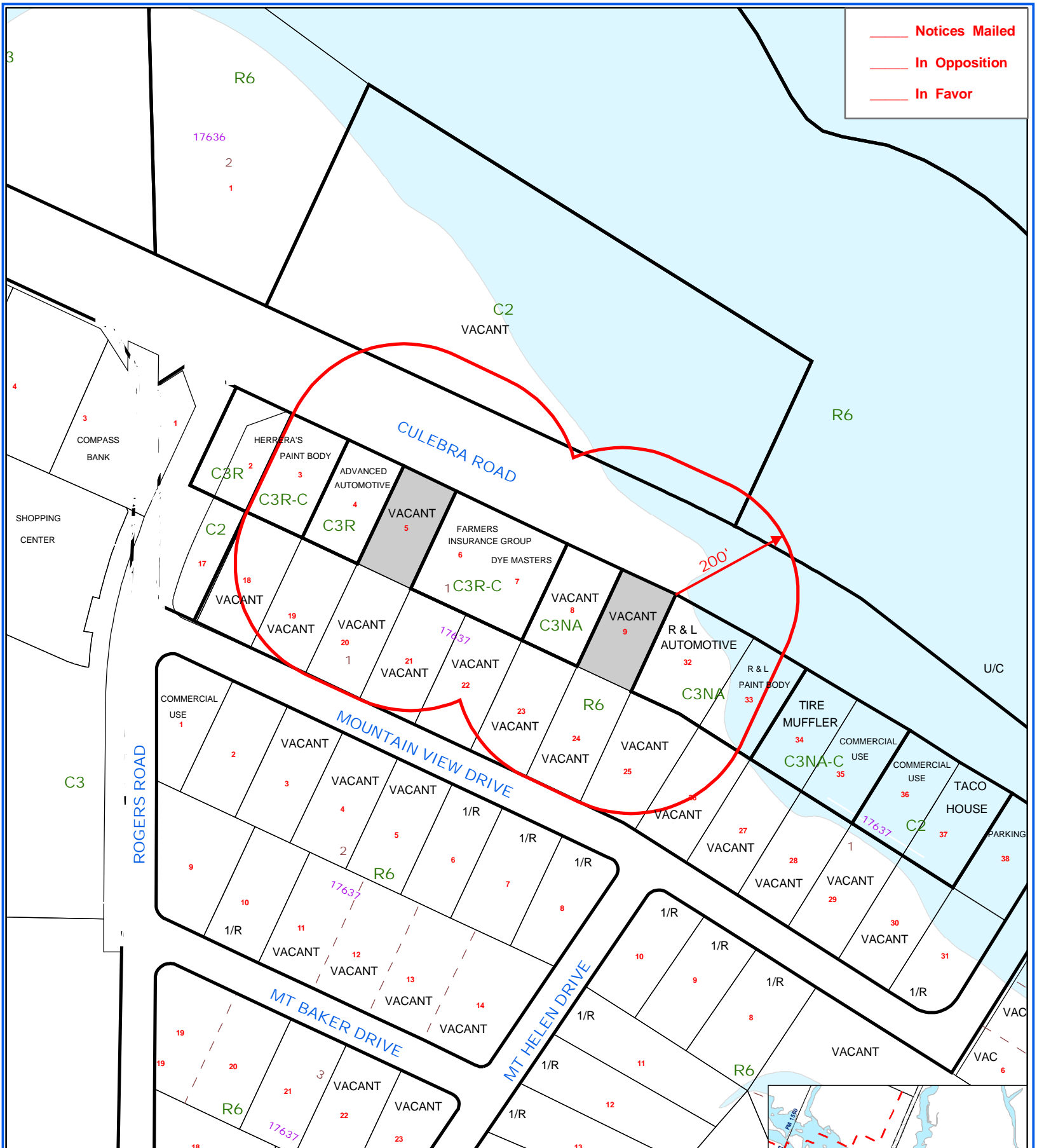
TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. The subject properties are undeveloped and located on Culebra Road a major thoroughfare. The subject properties are adjacent "C-3 R" Commercial Restrictive District to the northwest (Advanced Automotive), southeast (Farmers Insurance Group), "C-3NA" General Commercial, Nonalcoholic Sales District to the northwest (Vacant), southeast (R&L Automotive) and "R-6" Residential Single-Family District to the southwest (Vacant). "C-3" General Commercial uses would be more appropriate at this location rather than "R-6" Single-Family Residential District. The "C-3" General Commercial Districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods.

CASE MANAGER : Pedro Vega 207-7980

_____ Notices Mailed
 _____ In Opposition
 _____ In Favor



ZONING CASE: **Z2005-224**

City Council District No. 6

Requested Zoning Change

From "R-6" To "C-3"

Date: October 4, 2005

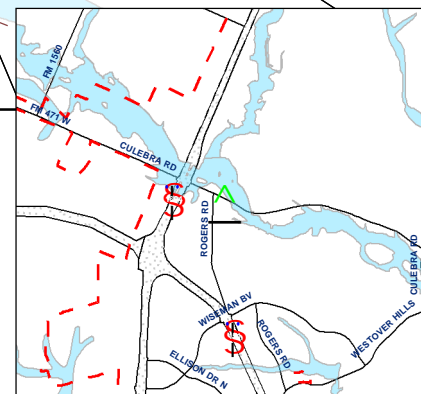
Scale: 1" = 200'

 Subject Property

 200' Notification



C:\Oct_4_2005



CASE NO: Z2005225

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 4

Ferguson Map: 651 C3

Applicant Name:

John L. Santikos

Owner Name:

John L. Santikos

Zoning Request: From "I-2" Heavy Industrial District to "C-3" General Commercial District.

Property Location: Lots 5 and 6, NCB 12334

1918 through 1964 Southwest Military Drive

Approximate southeast corner of Southwest Military Drive and Interstate Highway 35

Proposal: To make consistent with actual use of land

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Statement is not required

Staff Recommendation:

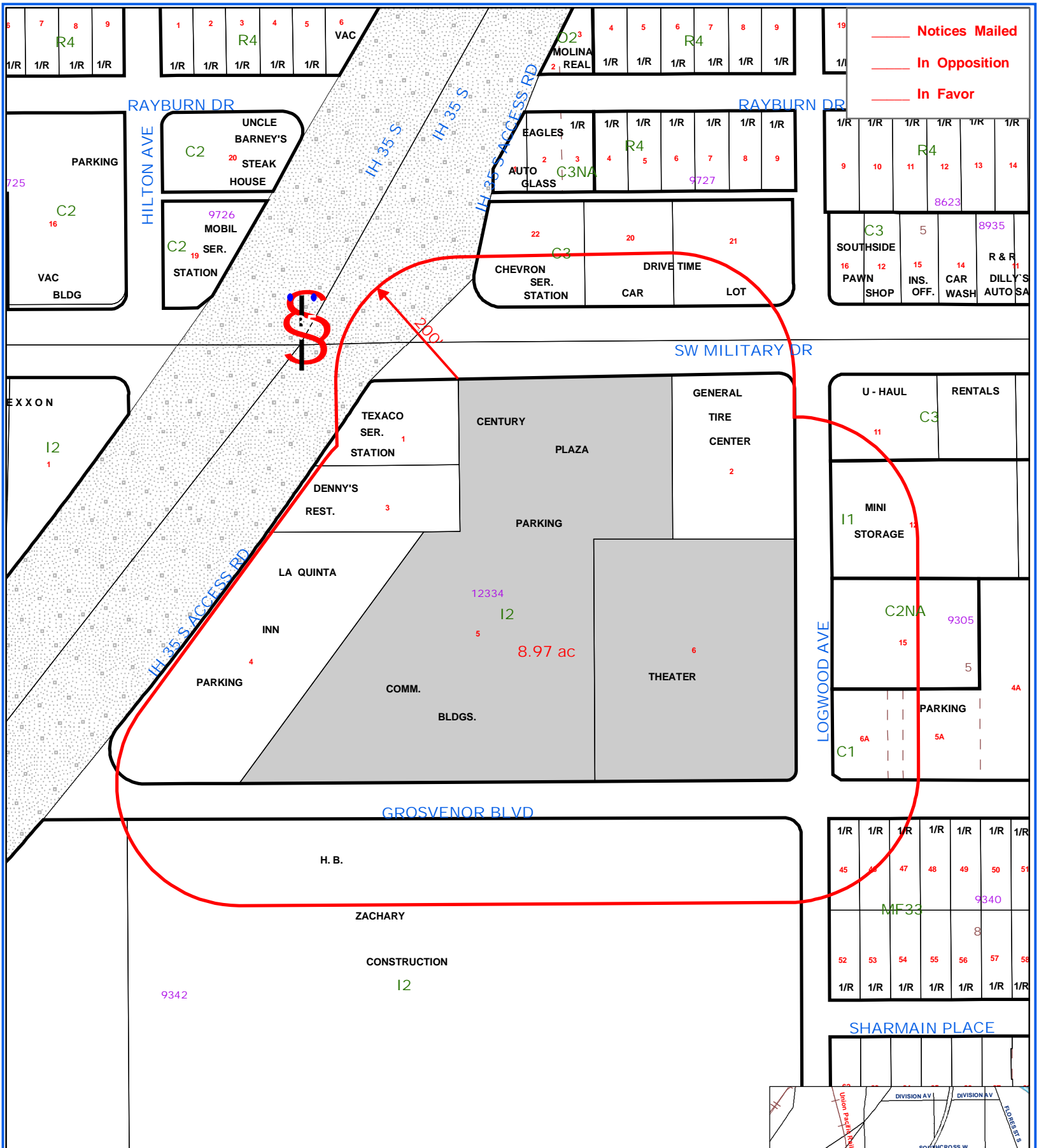
Approval

The subject properties are located at the intersection of Interstate Highway 35 and Southwest Military Drive. They are developed and have existing commercial uses in the form of retail buildings and a movie theater. The properties were zoned to "LL" in the late 1940's and later converted from "LL" to "I-2" in February of 2002. Therefore, the existing commercial uses do not comply with the current industrial zoning district of "I-2" and are now nonconforming. The applicant is attempting to bring the current use of the properties into compliance by rezoning the properties to "C-3," the appropriate zoning district.

Immediately adjacent to the subject properties are a hotel, restaurant, service station and tire sales and service center, all commercial uses but similarly nonconforming in the "I-2" zoning district. To the north, across Southwest Military Drive, are a service station and automobile sales lot with the appropriate zoning district of "C-3." To the south, across Grosvenor Boulevard, is Zachary Construction Corporation with the appropriate zoning district of "I-2." To the east, across Logwood Avenue, are a parking lot with a combined "C-1" and "C-2NA" zoning, a mini-storage zoned "I-1" and a U-Haul rental facility zoned "C-3."

A "D" buffer is generally required between the "C-3" and "I-2" zoning districts but, as the subject properties and those immediately adjacent to them are already developed, the installation of a buffer should not be required. Staff supports the applicant's request since the requested zoning is compatible with the current land uses, appropriate for the location and if approved will result in the elimination of an existing nonconformity.

CASE MANAGER : Matthew Taylor 207-5876



ZONING CASE: **Z2005-225**

City Council District No. 4
Requested Zoning Change
From "I-2" To "C-3"

Date: October 4, 2005

Scale: 1" = 200'

CASE NO: Z2005226

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 10

Ferguson Map: 552 C7

Applicant Name:

Jerry Arredondo

Owner Name:

Universal Development Property

Zoning Request: From "R-5" Residential Single-Family District to "C-3" General Commercial District.

Property Location: Lot 22, NCB 12116

8623 Perrin Beitel

Westside of Perrin Beitel between Northeast Loop 410 and Bretton Road

Proposal: Consistent with surrounding uses

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. The subject property is undeveloped and the last remaining residential zoned property in the area. The subject property is adjacent "C-3" General Commercial District west, north, south and east. The "C-3" General Commercial District would compliment the commercial development pattern beginning at the intersection of Perrin Beitel and Northeast Loop 410. "C-3" General Commercial uses would be more appropriate at this location rather than "R-5" Single-Family Residential District. The "C-3" General Commercial Districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance.

The Universal Development Property are also owners of Lot 21 (zone "C-3" General Commercial District).

CASE MANAGER : Pedro Vega 207-7980

ROCK CROFT DRIVE

WILLOW GREEN DRIVE

BRETTON RDG

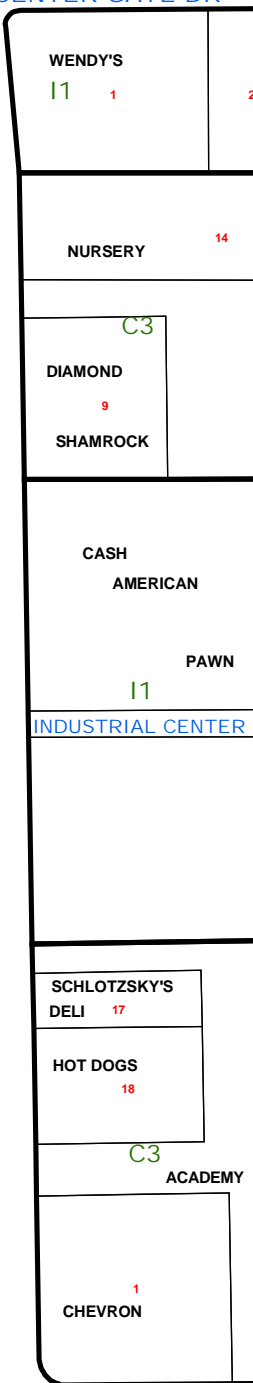
NE LOOP 410 ACCESS RD

NE LOOP 410

GARDEN QUARTER

PERRIN BEITEL

Notices Mailed
In Opposition
In Favor

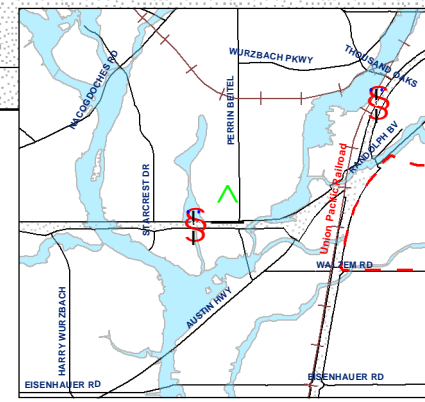


ZONING CASE: Z2005-226

City Council District No. 10
Requested Zoning Change
From "R-5" To "C-3"
Date: October 4, 2005
Scale: 1" = 200'

Subject Property
200' Notification

City of Houston
October 4, 2005



CASE NO: Z2005228

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 8

Ferguson Map: 549 B6

Applicant Name:

Data Rose Limited Partnership

Owner Name:

Data Rose Limited Partnership

Zoning Request: From "I-1" General Industrial District to "C-3" General Commercial District.

Property Location: P-71D, P-71E, P-71M, P-101 and P-102, NCB 14446

9725 Datapoint Drive

The northeast corner of Datapoint Drive and Parkdale

Proposal: To accommodate Private University night classes

Neigh. Assoc. None

Neigh. Plan None

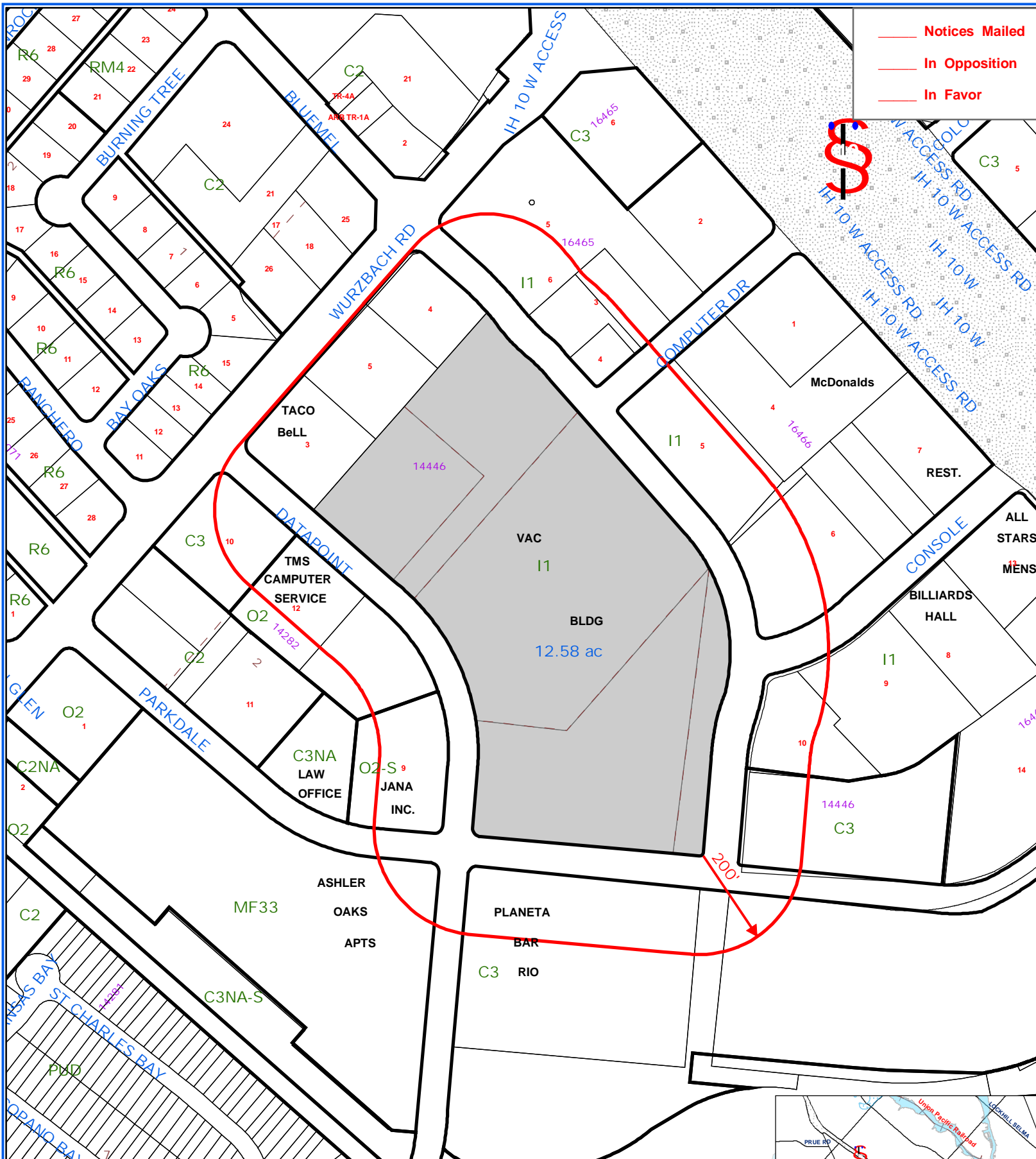
TIA Statement: Traffic Impact Analysis not required

Staff Recommendation:

Approval. This is a down zoning from "I-1" to "C-3". This area is all "C-3" and "I-1" zoning and uses. "I-1" zoning does not allow the requested use for a University Campus. This site was the former Data Point and Builders Square Corporate headquarters. The intended use will compliment the area.

CASE MANAGER : Richard Ramirez 207-5018

— Notices Mailed
— In Opposition
— In Favor

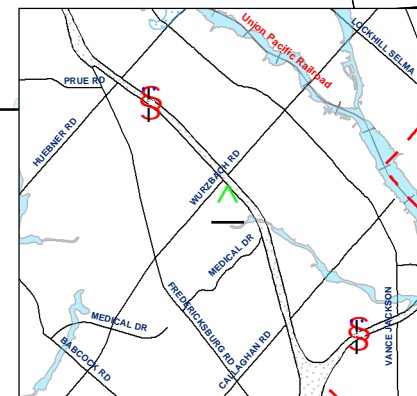


ZONING CASE: Z2005-228

City Council District No. 8
Requested Zoning Change
From "I-1" To "C-3"
Date: October 4 & 13, 2005
Scale: 1" = 200'

■ Subject Property
○ 200' Notification

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CASE NO: Z2005230

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 2

Ferguson Map: 617 A3

Applicant Name:

Dan Campbell

Owner Name:

Dan Campbell

Zoning Request: From "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "C-3 RIO-2" General Commercial River Improvement Overlay District 2.

Property Location: The west 75 feet of Lots 25 and 26, NCB 965

1516 Broadway Avenue

The southeast corner of Broadway and Casa Blanca

Proposal: To allow for service and retail uses

Neigh. Assoc. Government Hill Alliance

Neigh. Plan Government Hill Neighborhood Plan

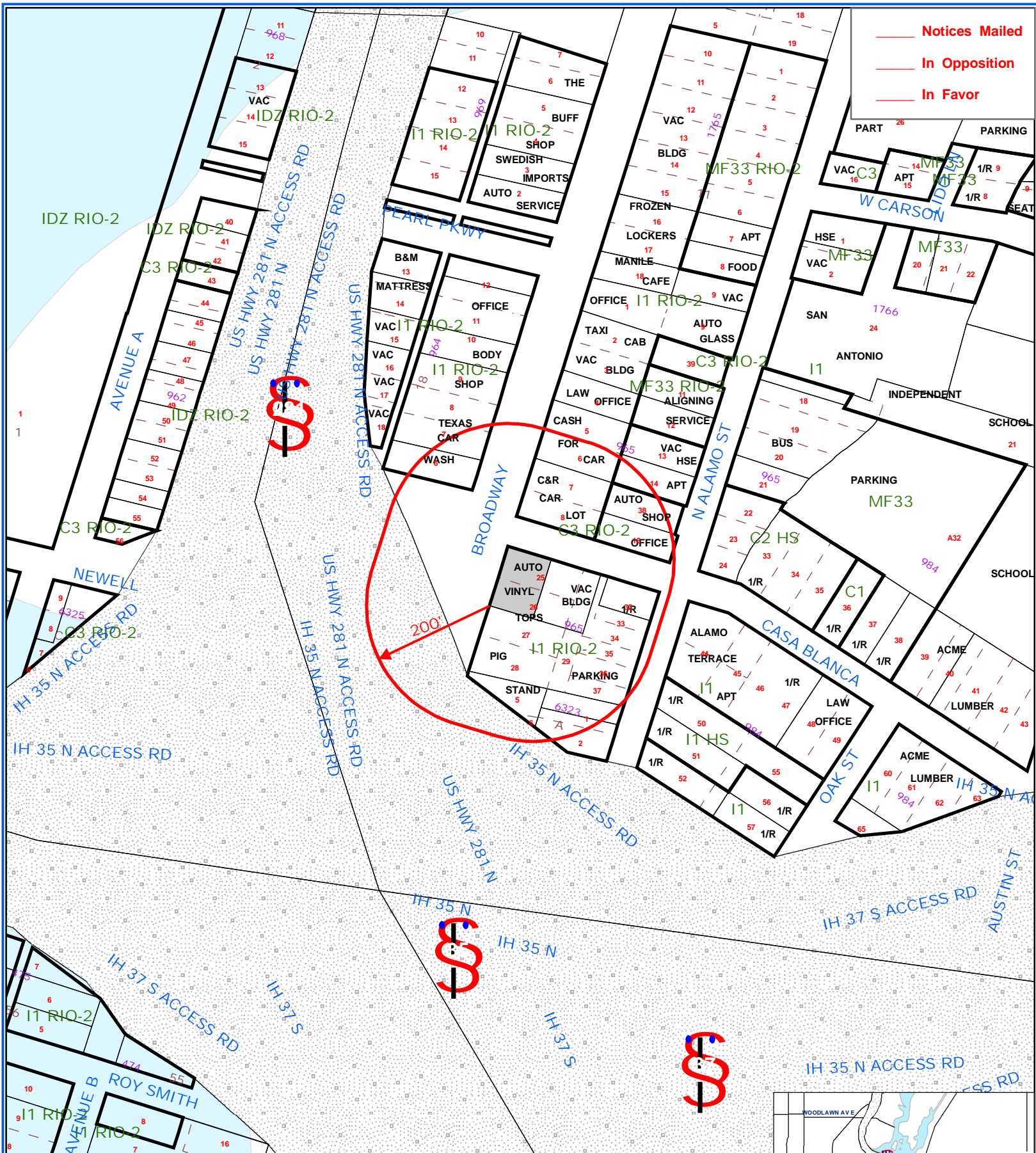
TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent. The Government Hill Neighborhood Plan calls for "Local/Convenience Commercial".

Denial as requested and Approval of "C-2 P RIO-2". "C-2 P RIO-2" is consistent with the Government Hill Neighborhood Plan. "C-3" zoning is more intensive uses and is typically characterized as community and regional centers. These uses should be located at the intersection of major arterials. Historically this area was developed without setbacks. Broadway is a commercial corridor with commercial uses. "C-2 P" will support commercial uses and pedestrian flow.

CASE MANAGER : Richard Ramirez 207-5018

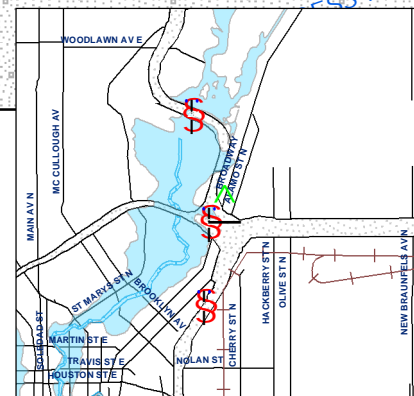


ZONING CASE: **Z2005-230**

City Council District No. 2
Requested Zoning Change
From "I-1 RIO-2" To "C-3 RIO-2"
Date: October 4, 2005
Scale: 1" = 200'

Subject Property
 200' Notification

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CASE NO: Z2005232

Final Staff Recommendation - Zoning Commission

Date: October 04, 2005

Council District: 7

Ferguson Map: 580 D6

Applicant Name:

Brown, P. C.

Owner Name:

W. P. Southwell

Zoning Request: From "O-1" Office District to "R-6" Residential Single-Family District.

Property Location: Lots 119 through 122, Block E, NCB 11545

128 Woodside Drive

Woodside Drive and Callaghan Road

Proposal: To develop as Single-Family Residential Neighborhood

Neigh. Assoc. Ingram Hills Association

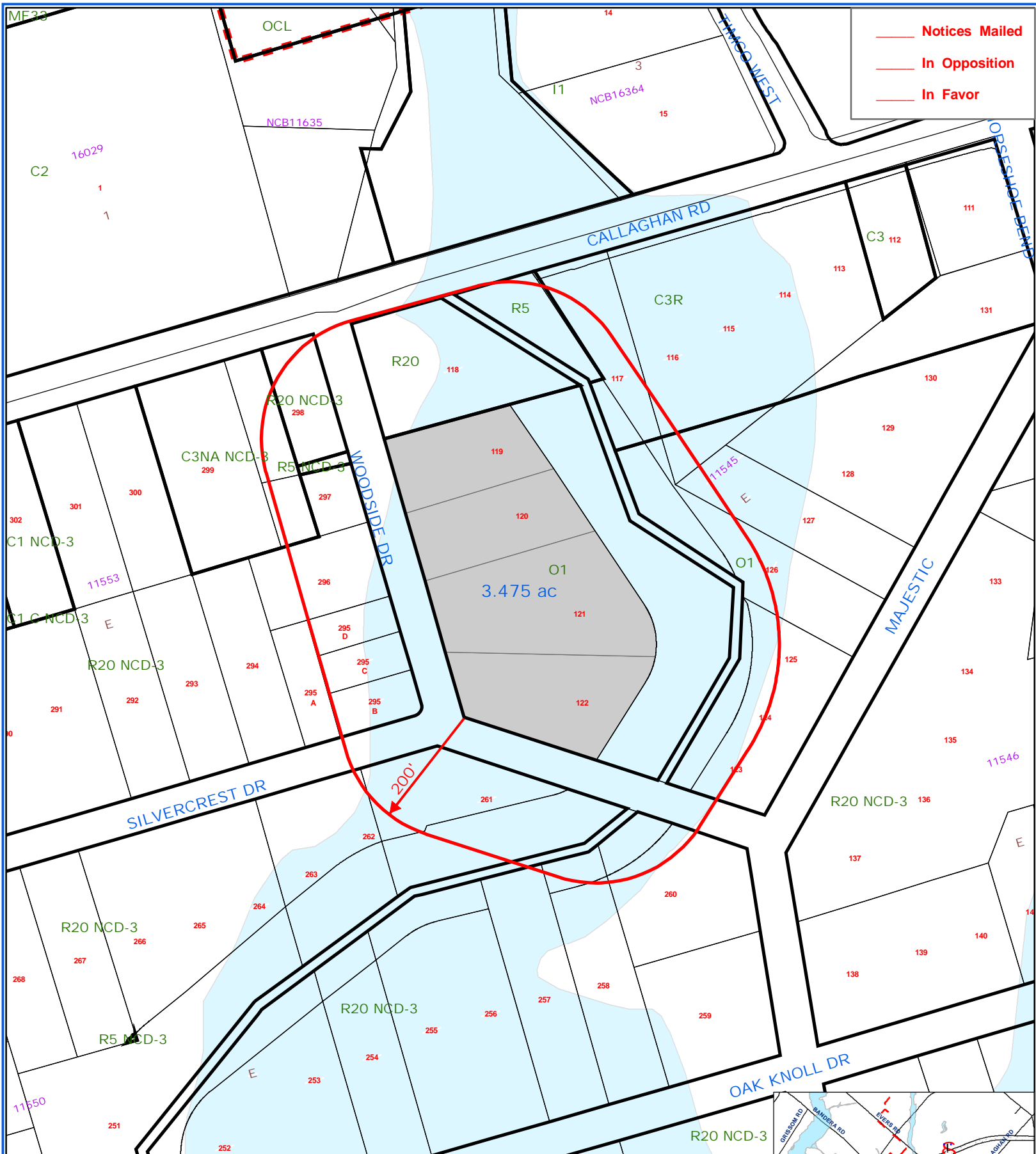
Neigh. Plan Woodlawn Hills/Ingram Hills Neighborhood Plan (no finding of consistency is required)

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. This is an undeveloped property. The "R-6" zoning request will compliment the area. The requested zoning is a reduction in zoning, will act as a transition to the neighborhood to the south and is buffered by a drainage feature to the south and east.

CASE MANAGER : Richard Ramirez 207-5018



ZONING CASE: Z2005-232

City Council District No. 7
Requested Zoning Change
From "O-1 " To "R-6 "

Date: October 4, 2005

Scale: 1" = 200'

Subject Property

200' Notification



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